

### **REMARKS**

Applicant has reviewed the Office Action mailed on April 23, 2003 as well as the art cited. Claims 1, 2, 3, 6 and 8 have been amended and claims 136-140 have been added. As a result, claims 1-12 and 136-140 are currently pending in this application.

#### **Rejections Under 35 U.S.C. § 102**

Claims 1, 3-4, 6-7, and 9-11 were rejected under 35 USC § 102(b) as being anticipated by Sharp, (U.S. Patent No. 4,547,833). Applicant respectfully traverses this rejection.

Claim 1 as amended is directed to a case for confining a first circuit card to a particular location within a housing. The case includes a pair of opposing end walls and a pair of opposing side walls coupled to the end walls. The pair of end walls and the side walls form a slot. The case further includes an actuator disposed within the slot, the actuator engageable with the first circuit card for clamping the first circuit card between the actuator and one of the pair of opposing end walls of the case.

With respect to claim 1, the office action states that Sharp discloses a case and refers the applicant to "122, Fig. 7". After review of Sharp, Applicant finds that Sharp describes 122 as "axially-spaced annular shoes 120, 122" that "are provided along the length of the chassis 124" and "shoe supports 120 and 122 serve the same isolation function as the roller supports 20 and 22" and "details of construction of the annular supports 120, 122 are shown in FIGS. 7 and 8 (FIGS. 9 and 10 serve to illustrate a step in the assembly of those supports)." In contrast, the "annular shoes 122" of Sharp are not a case as found in claim 1, the annular shoes 122 do not include a pair of opposing end walls and a pair of opposing side walls coupled to the end walls as found in claim 1.

The office action further states that the case (122) comprises a slot and refers the Applicant to see the "slot" as labeled in figure 7. After review of Sharp, Applicant has not found anything labeled as a slot either with respect to figure 7 or other figures. Further, Sharp does not teach or suggest a slot formed by a pair of end walls and side walls as found in claim 1.

Applicant does not find any discussion in Sharp of the annular shoes 122 including a pair of endwalls and side walls that form a slot as found in claim 1.

In addition, the office action states that Sharp discloses an actuator (post 135) disposed within the slot, the actuator engageable with the circuit card (137) [from] for clamping the circuit card between the actuator and the case and refers the Applicant to Col. 7, lines 11-30. As discussed above, Applicant does not find that Sharp teaches or suggests a case having a pair of endwalls. Further, Sharp does not teach or suggest an actuator disposed within the slot, the actuator engageable with the first circuit card for clamping the first circuit card between the actuator and one of the pair of opposing end walls of the case as found in claim 1.

As a result, claim 1 is not anticipated by Sharp and should be allowed.

Claims 2-6 and 136-138 each depend either directly or indirectly from claim 1 and further define claim 1. For at least the reasons stated above claims 2-6 and 136-183 also do not anticipate Sharp and should be allowed.

Claim 7 is directed to a case for confining a pair of circuit cards to different locations within a housing. The case includes a pair of opposing side walls and first and second end walls, a partition disposed between the first and second end walls that divides the case into a first slot bounded by a portion of each of the side walls, the partition, and the first end wall and a second slot bounded by another portion of each of the side walls, the partition, and the second end wall, the first and second slots each containing one of the circuit cards, and an actuator engageable with the circuit card in the first slot for clamping the circuit card in the first slot, the partition, and the circuit card in the second slot between the actuator and the second end wall.

Applicant refers the Examiner to the arguments with respect to claim 1 above. Claim 7 is allowable for at least the reasons provided with respect to claim 1.

Further, the office action states that the case (122) comprising a pair of side walls and first and second end walls (see figures 7 and 8). The office action does not indicate what are considered side walls and end walls. Applicant does not find any reference in the specification to the annular shoes 122 comprising side walls and end walls and does not discern side and/or end

walls in figures 7 or 8. Further, the office action states that the annular shoes (122) comprise a partition (as labeled in Figure 7). Again, there is no reference of what the Examiner is considering a partition and Applicant has reviewed the specification and the figures and does not find "a partition as labeled" as indicated by the Examiner. Sharp does not teach a case having a partition disposed between first and second end walls that divides the case into a first slot bounded by a portion of each of the side walls, the partition, and the first end wall and a second slot bounded by another portion of each of the side walls, the partition, and the second end wall, the first and second slots each containing one of the circuit cards as found in claim 7.

Claims 8-12 and 139-140 each depend either directly or indirectly from claim 7 and for at least the reasons stated above also do not anticipate Sharp and should be allowed.

Rejections Under 35 U.S.C. § 103

Claims 2, 5, 8 and 12 were rejected under 35 USC § 103(a) as being unpatentable over Sharp. Applicant respectfully traverses this rejection.

Claims 2, 5, 8 and 12 are allowable for at least the reasons noted above with respect to claims 1 and 7 and should also be allowed.

With respect to claims 2 and 8, the Examiner has taken official notice that it is known to provide a resilient element in the slot of the case for engaging the circuit card. The Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the case of Sharp by including a resilient element in the slot of the case for securely retaining the circuit card within the case. Applicant respectfully traverses the Examiner's assertion and requests that the Examiner cite a reference in support of his position in accordance with MPEP § 2144.03.

With respect to claims 5 and 12, the Examiner has taken official notice that it is known to provide a heat sink disposed between the case and the housing. The Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a heat sink disposed between the case and the housing for releasing the heat being generated from the case and the housing. Applicant respectfully traverses the Examiner's

assertion and requests that the Examiner cite a reference in support of his position in accordance with MPEP § 2144.03.

The Examiner has not addressed the remaining elements of claims 2 and 8 wherein the actuator is a wedge or cam. Claims 2 and 8 have been amended to include only the resilient element and claims 136, 137 and 139 and 140 have been added and address the other original limitations of claims 2 and 8. The Examiner has not addressed these limitations as a result Applicant assumes claims 136, 137, 139 and 140 are all allowable. Further, Sharp does not include an actuator that is a wedge or a cam. As a result, claims 136, 137, 139 and 140 should be allowed.

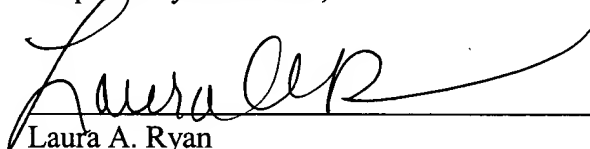
### CONCLUSION

Applicant respectfully submits that claims 1-12 and 136-140 are in condition for allowance and notification to that effect is earnestly requested. If necessary, please charge any additional fees or credit overpayments to Deposit Account No. 502432.

If the Examiner has any questions or concerns regarding this application, please contact the undersigned at (612) 332-4720.

Respectfully submitted,

Date: 25 August 2003

  
\_\_\_\_\_  
Laura A. Ryan  
Reg. No. 49,055

Attorneys for Applicant  
Fogg and Associates, LLC  
P.O. Box 581339  
Minneapolis, MN 55458-1339  
T – (612) 332-4720  
F – (612) 677-3553